

**DIRECTOR'S MEETING  
MONDAY, APRIL 14, 2003 - 11:00 A.M.  
CONFERENCE ROOM 113**

**I. MAYOR**

1. NEWS RELEASE - RE: Mayor Says Passage Of Crime Package Will Improve Public Safety. (See Release)
2. NEWS RELEASE - RE: Facts Show Lincoln Economy Strong and Growing (This release was already listed on the Director's Agenda for April 7<sup>th</sup>, but it was missing some of the material, so this is a full set of the material) (Copy of this material is on file in the City Council Office)
3. NEWS RELEASE - RE: Streets Remain Closed For Building Demolition. (See Release)
4. Memo & Response Letter from Lin Quenzer to Marsha Einemann, Nora Lorraine & Helen Witt - RE: In response to inquiries concerning the restoration project at Holmes Lake that were received after the public meeting for the project on March 27, 2003. (See Letter)

**II. CITY CLERK**

**III. CORRESPONDENCE**

**A. COUNCIL REQUESTS**

**COUNCIL**

1. OUTSTANDING E-Mail from Susie Witulski forward to **Lynn Johnson, Parks & Recreation Director** on 2/26/03 - RE: Member of the Beatrice City Council and we are looking at the possibility of an Indoor Playground - What information can you provide me with of the City of Lincoln plans and decisions on Ager Indoor Playground. (See E-Mail)

**JONATHAN COOK**

1. ~~OUTSTANDING~~ Request to Public Works & Utilities Department - RE: Some serious traffic congestion problems - 27<sup>th</sup> Street traffic (RFI#88 - 3/18/03). — **1.) SEE RESPONSE FROM SCOTT OPFER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#88 - 4/08/03**

## **JON CAMP**

1. OUTSTANDING Request to Allan Abbott, Public Works & Utilities Director/  
**Lynn Johnson, Parks & Recreation Director** - RE: Bike path tunnels (RFI#78 - 10/02/02). — **1.) SEE RESPONSE FROM ROGER FIGARD, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#78 - 10/11/02**
2. OUTSTANDING Request to **Allan Abbott, Public Works & Utilities Director** - RE: 84<sup>th</sup> Street medians (RFI#82 - 2/24/03)
3. OUTSTANDING Request to Allan Abbott, Public Works & Utilities Director - RE: 84<sup>th</sup> & Montello Crosswalk (RFI#83 - 03/27/03)

## **ANNETTE McROY**

1. OUTSTANDING Request to Parks & Recreation Department/ **LES** - RE: Lighting around the “F” Street Recreation Center (RFI#126 - 02/24/03). — **1.) SEE RESPONSE FROM SANDY MYERS, PARKS & RECREATION DEPARTMENT RECEIVED ON RFI#126 - 3/14/03**
2. OUTSTANDING Request to Public Works & Utilities Department - RE: Street Sweeping (RFI#130 - 3/24/03)
3. Request to Public Works & Utilities Department/Urban Development Department/Police (Center Team)/Health Department/LES – RE: The alley behind the houses east of 27<sup>th</sup> Street between Potter & Fair Street is never maintained by the City (RFI#132 - 4/08/03)
4. Request to Public Works & Utilities Department, Harry Kroos - RE: Please, inspect the alley behind the beauty shop (RFI#133 - 4/08/03)

## **TERRY WERNER**

1. OUTSTANDING Request to Dana Roper, City Attorney - RE: Have there been any cities that implemented some form of campaign finance reform for city candidates? (RFI#85 - 3/24/03)
2. OUTSTANDING Request to Lynn Johnson, Parks & Recreation Director - RE: Describe how a ‘CIP type’ program to acquire land for the extension of Wilderness Park, towards the ‘necklace’ goal? (RFI#86 - 3/24/03)

## **COLEEN SENG**

1. Request to Public Works & Utilities Department - RE: Both concerned about getting across "O" Street on foot when the widening is finished (RFI#924 - 4/07/03)
2. Request to Public Works & Utilities Department, Sidewalks - RE: When are sidewalks going in at Old Cheney & Hunts Drive (RFI#925 - 4/07/03)

## **B. DIRECTORS AND DEPARTMENT HEADS**

### **COUNTY COMMISSIONERS**

1. Letter from Kerry P. Eagan, Chief Administrative Officer to Doug Thomas, Manager of Information Services - RE: Government Access and Information Committee (GAIC). (See Letter)
2. Letter from Kerry P. Eagan, Chief Administrative Officer to Gary E. Lacey, Lancaster County Attorney - RE: Taxable Status of Public Building Commission Parking Lots Used for Paid Employee Parking. (See Letter)

## **FINANCE**

1. Report - RE: KPMG - Lincoln Electric System - Financial Statements - December 31, 2002 and 2001 (With Independent Auditors' Report Thereon) (Copy of this Report is on file in the City Council Office).

## **FINANCE DEPARTMENT/CITY TREASURER**

1. Material from City Clerk Joan Ross & Melinda J. Jones, City Treasurer - RE: Monthly City Cash Report & City of Lincoln-Pledged Collateral Statement - February 28, 2003. (See Material)

## **HEALTH DEPARTMENT**

1. NEWS RELEASE - RE: Board Of Health Annual Meeting and Awards Ceremony. (See Release)
2. NEWS RELEASE - RE: Diazinon Pesticide Found Particularly Dangerous To Children And Pregnant Women. (See Release)

## **PLANNING**

1. Letter from Allan Abbott to Monty Fredrickson, Deputy Director, Nebraska Department of Roads - RE: I am returning the Final Traffic Analysis and Conceptual Design Report for the Highway 77 and Warlick Boulevard transmitted with Mr. Abdalla's letter of March 27, 2003. (See Letter)
2. Memo from Marvin Krout - RE: Street Vacation No. 02017 (Bill #03-55) - 7<sup>th</sup> & Vacated Hatch Street. (See Memo)

## **PLANNING COMMISSION FINAL ACTION . . . . .**

1. Special Permit No. 384E (Tabitha, Inc. - 47<sup>th</sup> & Randolph Streets) Resolution No. PC-00802.
2. Final Plat No. 03001- Allegrini Terrace Addition (Pine Lake Road and So. 91<sup>st</sup> Street) Resolution No. PC-00801.
3. Final Plat No. 02002 - Rolling Meadows 1<sup>st</sup> Addition (S.W. 33<sup>rd</sup> Street and Pleasantdale Road) Resolution No. PC-00798.
4. Final Plat No. 02015 - Wilderness Ridge 5<sup>th</sup> Addition (So. 27<sup>th</sup> Street and Rokeby Road) Resolution No. PC-00799.

## **C. MISCELLANEOUS**

1. E-Mail from Nick Manning - RE: Anti-abortion protesters. (See E-Mail)
2. E-Mail from John & Vicki Huff - RE: Sidewalk Space Ordinance. (See E-Mail)
3. Letter from Lilly Blase, President, Preservation Association Of Lincoln - RE: Franklin Heights Historic Landmark District. (See Letter)
4. E-Mail from Peggy Struwe, President, Hawley Area Neighborhood Association - RE: New Sidewalk Space Ordinance. (See E-Mail)

## **IV. DIRECTORS**

## **V. CITY COUNCIL MEMBERS**

## **VI. ADJOURNMENT**

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**DIRECTOR'S MEETING  
MINUTES  
MONDAY, APRIL 14, 2003  
CONFERENCE ROOM 113**

**Council Members Present:** Jonathan Cook, Chair; Jon Camp, Vice-Chair; Coleen Seng, Annette McRoy, Glenn Friendt, Ken Svoboda.

**Council Member Absent:** Terry Werner

**Others Present:** Mayor Don Wesely, Mark Bowen, Ann Harrell, Corrie Kielty, Darl Naumann, Mayor's Office; City Clerk, Joan Ross; Dana Roper, City Attorney, Connor Reuter, Assistant City Attorney; Directors and Department Heads; Darrell Podany, Aide to Council Members Camp, Friendt, & Svoboda and Tammy Grammer, City Council Staff.

**I. MAYOR**

Mayor Don Wesely stated to Council that first off, "Thank-you" for the Crime package last week, they're very enthused about it.

Mayor Don Wesely stated to Council that they were also pleased on the turn out that they were able to succeed in retaining them here in Lincoln. Mayor Wesely stated that he wants to give his 'thanks' to Jim Fram with the Chamber of the Convention Business Bureau, he did a nice job of putting the package together and indicated that they tried to get them for 5 years, but they got them for 2 years. Mayor Wesely stated to Council that he thinks clearly if they don't work on the Pershing Auditorium Convention Center issue and have at least a plan on it by the time this comes up again in 2 years, he thinks they're going to be in trouble. Mayor Wesely stated to Council with the facility that Omaha has is very attractive and besides from the cost of the parking, Omaha businesses were largely going to cover some of the cost of the facility. So, he thinks again it calls out for the need of the Pershing Auditorium Convention Center to be addressed. Mayor Wesely commented to Council that they were able to keep it for 2 years and so this gives them some time to work on it.

Mayor Don Wesely stated to Council that "Kawasaki" announced a pretty major contract with Boston and that's really good news. Mayor Wesely stated to Council that this will help and add to their employment.

Mayor Don Wesely stated to Council that he and Ken [Svoboda] were just talking about the baseball game and indicated that he had the chance to go to it on Sunday and then afterwards he would say that he saw about a thousand people streaming over the Haymarket bridge. So, if there was any question about whether the bridge is going to be used and commented that it's heavily used.

Mayor Don Wesely stated to Council that in regards to the Open Houses on Friday, he thought maybe June [Remington] and Marc [Wullschleger] could tell them how the open houses went.

June Remington stated to Council that they were very pleased and especially appreciated those of you who had time to stop in and see it. Ms. Remington stated that anyone who didn't is welcomed to come in anytime just give them a call and they will give them a tour. Ms. Remington stated to Council that they had some where between 100 to 200 people and they were very pleased, they liked the facilities.

Marc Wullschleger stated to Council that he would also extend the same invitation as June [Remington] made to please stop by at anytime and indicated that they probably had 80 to 100 people that stopped by. Mr. Wullschleger commented to Council that they are very comfortable over there.

Mayor Don Wesely stated to Council that they probably saw the article this morning that "Lincoln Cares" has brought in over \$15,000 in the first two months and they're really pleased with it. Mayor Wesely stated to Council that although, there was three complainers who have called in about the performance actually and he thinks it is a pretty reasonable performance. Mayor Wesely asked Lynn Johnson if he wanted to say anything about it.

Lynn Johnson stated to Council that they spent a lot of time talking about it, they wanted to make sure that it was clear as possible. Mr. Johnson stated to Council that he thinks it is important to understand that the "Lincoln Cares" program has actually grossed about \$30,000 because they have 'World's Foremost Bank' and 'Tier One Bank' matching dollar for dollars, so they are very pleased with the results of the program. Mr. Johnson stated to Council that they're in the process right now of getting proposals to get the air conditioning in at the Ager Play Center and so by the 1<sup>st</sup> of June they will be able to have announced that the 1<sup>st</sup> "Lincoln Cares" project has been implemented. Mayor Wesely stated that will be 'great'.

Mayor Don Wesely stated to Council that the Metropolitan and [inaudible] are down, nobody got hurt that they know of, no bricks falling on anybody, so that went as well as they could have excepted.

Mayor Don Wesely stated to Council that one of the things they are going to try and do in the next couple of weeks is to explain the difference between Storm water and Waste water. Mayor Wesely stated to Council that people thinks the Storm water Bonds has something to do with the Impact Fee issue and so why do they need bonds when they have already got the impact fees. Mayor Wesely stated to Council of course they're not the same, they're very different and they are going to try to get the word out to explain that. But, as they talk to folks just to alert them that there seems to be a misunderstanding on the differences.

Mayor Don Wesely stated to Council that he will have Dana [Roper] and Connor [Reuter] update them on the HIPAA. Dana Roper stated to Council that they may have noticed that at the bottom of today's newspaper that the new regulations are going into effect on the Health Insurance Portability & Accountability Act (HIPAA). Mr. Roper stated to Council that this is something that is causing cities, hospitals, pharmacies and other Health Care providers a lot of expense and headaches on trying to figure this out and commented it's very comprehensive. Mr. Roper stated to Council that the violations are \$250,000 fines and 10 years in prison. Mr. Roper stated to Council that Connor Reuter from their office has been working night and day on this to try and get them into compliance with what they think the law is and she can talk to them a little bit more about it.

Connor Reuter stated to Council that it sets up this National Floor of Privacy for certain health care providers and it's not automatic that if you provide health care that your covered by HIPAA, so they had to go through and sort of look at each of their different health care providers individually to see if they're covered. Ms. Reuter stated to Council what they came up with is that the Fire Department through the Ambulance Service is covered and any of the other business of Parks and City that do work sort of for the Fire Department. Ms. Reuter indicated to Council like some of the Finance Department does some things sort of for the Fire Department where they come into contact with some of this patient information and the Law Department interacting with the Fire Department in away that parts of the Finance Department and the Law Department are covered by HIPAA. Ms. Reuter stated to Council that they know now that within the next year they will also have to come in compliance on their Dental Health Plans and that's covered with an compliance date of April 14, 2004. Ms. Reuter stated to Council so that's kind of who's currently covered by the City and looking ahead it's likely that Aging Services and the Health Department will soon also follow under HIPAA and then they'll have to do some things both policy wise, but also computer wise that might take some money, but she doesn't know how much money yet at this point. So, this is probably something to look at as being an expenditure for next year on getting the Health Department and Aging Services totally up to speed on their end. Ms. Reuter noted to Council that she would throw in that Sherrie Meints at the Fire Department has put in a lot of hours in trying to get that department up and she thinks that they're in pretty good shape for this all taking effect today. Mayor Wesely stated to Council that they have had to spend some time on it.

1. NEWS RELEASE - RE: Mayor Says Passage Of Crime Package Will Improve Public Safety. — Mayor Don Wesely mentioned this issue during his comments to Council under "I. Mayor". (See that discussion)
2. NEWS RELEASE - RE: Facts Show Lincoln Economy Strong and Growing (This release was already listed on the Director's Agenda for April 7<sup>th</sup>, but it was missing some of the material, so this is a full set of the material) (Copy of this material is on file in the City Council Office). — NO COMMENTS



3. NEWS RELEASE - RE: Streets Remain Closed For Building Demolition. — NO COMMENTS
4. Memo & Response Letter from Lin Quenzer to Marsha Einemann, Nora Lorraine & Helen Witt - RE: In response to inquiries concerning the restoration project at Holmes Lake that were received after the public meeting for the project on March 27, 2003. — NO COMMENTS

## II. CITY CLERK

City Clerk Joan Ross stated to Council that on their Agenda for today under “Public Hearing - Liquor Resolutions”, she will call Items 2 & 3 [Application of JAN-AL Inc. dba “Simply Paradise Social Hall” for a Class “T” liquor license at 3235 North 35<sup>th</sup> Street; and Manager application of Janet L. Crosby for JAN-AL Inc. dba “Simply Paradise Social Hall” at 3235 North 35<sup>th</sup> Street] together.

City Clerk Joan Ross stated to Council that she handed out to them the “Miscellaneous Referral” and indicated that there are no items to be voted on. City Clerk Joan Ross stated to Council that there is just a referral and a report.

City Clerk Joan Ross stated to Council that she thinks that is all she has for them, unless they have something. Mr. Cook stated to City Clerk Joan Ross that he wanted to asked about Item 6 [Approving an Annexation Agreement between Pine Lake Development L.L.C., Stanley L. Portsche and Grace A. Portsche, Mid-American Union Conference Association of Seventh Day Adventists, and the City of Lincoln outlining certain conditions and understandings with regard to the annexation of approximately 41 acres of property generally located west of 84<sup>th</sup> Street and north of Highway 2]. Mr. Cook stated that this is more for the Planning Department to see if there’s an expectation that they would be taking action today or no agreement has been reached and so would it be appropriate to delay this item. Mr. Cook asked what’s the status on this item. Marvin Krout stated to Mr. Cook that he would say ‘no’ because no agreement has been reached at this time. Mr. Cook stated to Mr. Krout okay.

## III. CORRESPONDENCE

### A. COUNCIL REQUESTS

#### COUNCIL

1. OUTSTANDING E-Mail from Susie Witulski forward to **Lynn Johnson, Parks & Recreation Director** on 2/26/03 - RE: Member of the Beatrice City Council and we are looking at the possibility of an Indoor Playground - What information can you provide me with of the City of Lincoln plans and decisions on Ager Indoor Playground. (See E-Mail). — NO COMMENTS

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2. OUTSTANDING Request to Lynn Johnson, Parks & Recreation Director - RE: Describe how a 'CIP type' program to acquire land for the extension of Wilderness Park, towards the 'necklace' goal? (RFI#86 - 3/24/03). — NO COMMENTS - TERRY WERNER ABSENT

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1. NEWS RELEASE - RE: Board Of Health Annual Meeting and Awards Ceremony. — NO COMMENTS
2. NEWS RELEASE - RE: Diazinon Pesticide Found Particularly Dangerous To Children And Pregnant Women. — NO COMMENTS

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1. Letter from Allan Abbott to Monty Fredrickson, Deputy Director, Nebraska Department of Roads - RE: I am returning the Final Traffic Analysis and Conceptual Design Report for the Highway 77 and Warlick Boulevard transmitted with Mr. Abdalla's letter of March 27, 2003. — NO COMMENTS
2. Memo from Marvin Krout - RE: Street Vacation No. 02017 (Bill #03-55) - 7<sup>th</sup> & Vacated Hatch Street. — Mr. Cook stated that this is a street vacation and the recommendation is to move ahead and noted that this is Item #4 [Vacating the north-south alley from the north line of vacated Hatch Street running northwesterly between Lot 18, Block 33, Wrington Addition, and Lot 146 I.T., in the Southeast Quarter of Section 35, Township 10 North, Range 6 East, generally located at 7<sup>th</sup> and vacated Hatch Streets] on their Agenda for today.

## **PLANNING COMMISSION FINAL ACTION . . . . .**

1. Special Permit No. 384E (Tabitha, Inc. - 47<sup>th</sup> & Randolph Streets) Resolution No. PC-00802. — NO COMMENTS
2. Final Plat No. 03001- Allegrini Terrace Addition (Pine Lake Road and So. 91<sup>st</sup> Street) Resolution No. PC-00801. — NO COMMENTS
3. Final Plat No. 02002 - Rolling Meadows 1<sup>st</sup> Addition (S.W. 33<sup>rd</sup> Street and Pleasantdale Road) Resolution No. PC-00798. — NO COMMENTS
4. Final Plat No. 02015 - Wilderness Ridge 5<sup>th</sup> Addition (So. 27<sup>th</sup> Street and Rokeby Road) Resolution No. PC-00799. — NO COMMENTS

**C. MISCELLANEOUS**

1. E-Mail from Nick Manning - RE: Anti-abortion protesters. — Mr. Cook asked Dana Roper if he could put together some kind of a response that indicates what the law is on it and let them know that the Council received the letter and they asked that he reply to it. [The City Law Department will respond to this E-Mail]
2. E-Mail from John & Vicki Huff - RE: Sidewalk Space Ordinance. — NO COMMENTS
3. Letter from Lilly Blase, President, Preservation Association Of Lincoln - RE: Franklin Heights Historic Landmark District. — NO COMMENTS
4. E-Mail from Peggy Struwe, President, Hawley Area Neighborhood Association - RE: New Sidewalk Space Ordinance. — NO COMMENTS

**ADDENDUM - (For April 14<sup>th</sup>)**

**I. MAYOR**

1. NEWS RELEASE - RE: City Opens New Recycling Site. — NO COMMENTS
2. NEWS RELEASE - RE: Public Invited To Meetings On Traffic And Revitalization Study In University Place. — NO COMMENTS
3. NEWS RELEASE - RE: Lincoln Water System Responds To Complaints About Water Appearance And Taste - Water is not a public health problem. — NO COMMENTS

**II. CITY CLERK - NONE**

**III. CORRESPONDENCE**

**A. COUNCIL REQUESTS - NONE**

**B. DIRECTORS AND DEPARTMENT HEADS**

**HEALTH DEPARTMENT**

1. NEWS RELEASE - RE: What Is That Smell? Health Department Investigates And Provides Guidance To The Public - April 10, 2003. — NO COMMENTS

2. NEWS RELEASE - RE: UPDATED - What Is That Smell? Health Department Investigates And Provides Guidance To The Public - April 10, 2003. — NO COMMENTS

3. NEWS RELEASE - RE: Smokey Air May Impact Those With Asthma Or Lung Conditions - April 11, 2003. — NO COMMENTS

#### **C. MISCELLANEOUS**

1. E-Mail from Linda Ganz - RE: New sidewalk space ordinance public hearing. — NO COMMENTS

### **IV. DIRECTORS**

**PUBLIC WORKS & UTILITIES DIRECTOR** - Allan Abbott stated to Council that the subject of the double duel left turn lanes has come up a couple times at the Director's Meetings. Allan Abbott stated to Council that they have taken a look at it and could come up with something that would just prohibit pedestrian traffic at certain times of the day and that got to be 'well', they think it is in the evening and they think it's whatever. So, they're now proceeding with the theory that they would prohibit pedestrian traffic on that side all of the time in order to get the tool that will let left turn lanes in like they have just out here prohibiting the pedestrian traffic running across the overpass. Mr. Abbott stated to Council so if they're going to put duel left turn lanes in that's what it is going to need and indicated that he is bringing it up here stickily as a question to who's going to come out of the wood work and say that they shouldn't allow pedestrian traffic crossing at that point and time. Discussion continued with Council and Allan Abbott on this issue with comments and questions from the Council. Following discussion, Mr. Abbott stated to Council that it is not a done deal, he just wanted to bring them up to date on it, so if there are concerns they need to get together and discuss it. Mr. Cook stated to Mr. Abbott that they might have a Pre-Council Meeting on this issue. Mr. Abbott stated to Mr. Cook okay, that's fine.

### **V. CITY COUNCIL MEMBERS**

#### **KEN SVOBODA**

Mr. Svoboda stated that he sent through a Request For Information (#16) to the Public Works & Utilities Department and the Parks & Recreation Department regarding the closing of 3<sup>rd</sup> Street. Mr. Svoboda stated that he is questioning why do it now when they're right in the mist on the closure of "A" Street because of the bridge replacement and he thinks the people who have contacted him that own properties and businesses on 3<sup>rd</sup> Street think if they can just keep it opened during the construction period. Then talk

about a permanent closure after construction that it would give people a little bit better feel for getting around in the area, if at all possible. Lynn Johnson stated to Mr. Svoboda if they have time, he brought the map in because he thought this issue might come up. [Lynn Johnson held the map up] Mr. Johnson went over the map with Council and indicated that it is a little bit hard to see, so he will pass it around to them. Lynn Johnson stated to Council that his strong recommendation is that they leave it closed out there. Discussion continued with Council, Lynn Johnson, Mayor Wesely and Allan Abbott on this issue with comments and questions from the Council. Following discussion, Mayor Wesely stated to Mr. Svoboda okay, they'll talk about it.

**ANNETTE McROY - NO COMMENTS**

**JON CAMP - NO COMMENTS**

**JONATHAN COOK - NO COMMENTS**

**GLENN FRIENDT - NO COMMENTS**

**COLEEN SENG - NO COMMENTS**

**TERRY WERNER - ABSENT**

**VI. MEETING ADJOURNED - Approximately at 11:26 a.m.**

